

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MELINDA SERIN, JUDSON RUSS, LONG SOUI LIM,	:
PERI KETTLER, GORDON REDNER, AND THOMAS	:
J. SMITH,	: 06 CV 1625 (JSG)
	:
Plaintiffs,	:
	:
-against-	:
	:
NORTHERN LEASING SYSTEMS, INC., JAY	:
COHEN, RICH HAHN, and SARA KRIEGER,	:
	:
Defendant.	:
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**DECLARATION OF ROBERT D. LILLIENSTEIN
IN SUPPORT OF DEFENDANTS' MOTION *IN LIMINE*
TO EXCLUDE THE TESTIMONY OF PLAINTIFFS'
DAMAGE EXPERT, DR. STAN V. SMITH**

ROBERT D. LILLIENSTEIN, under penalty of perjury, hereby declares:

1. I am of counsel to the firm of Moses & Singer, LLP, attorneys of record for the Defendants in this action, and a member of the bar of this Court. I submit this declaration in support of Defendants' motion *in limine* to exclude the testimony of Plaintiffs' damage expert, Dr. Stan V. Smith.

2. Attached hereto as **Exhibit A** is a true copy of the discounted version of Dr. Stan V. Smith's expert report for Plaintiff, Gordon Redner, which includes a true copy of the work notes and interview notes that were submitted together with that report (which are collectively referred to in the accompanying Memorandum of Law as the "Redner Report").

3. Attached hereto as **Exhibit B** is a true copy of the discounted version of Dr. Stan V. Smith's expert report for Plaintiff, Melinda Serin, which includes a true copy of the work notes and interview notes that were submitted together with that report (which

are collectively referred to in the accompanying Memorandum of Law as the “Serin Report”).

4. Attached hereto as **Exhibit C** is a true copy of the discounted version of Dr. Stan V. Smith’s expert report for Plaintiff, Judson Russ, which includes a true copy of the work notes and interview notes that were submitted together with that report (which are collectively referred to in the accompanying Memorandum of Law as the “Russ Report”).

5. Attached hereto as **Exhibit D** is a true copy of the discounted version of Dr. Stan V. Smith’s expert report for Plaintiff, Long Soui Lim, which includes a true copy of the work notes and interview notes that were submitted together with that report (which are collectively referred to in the accompanying Memorandum of Law as the “Lim Report”).

6. Attached hereto as **Exhibit E** is a true copy of the discounted version of Dr. Stan V. Smith’s expert report for Plaintiff, Thomas J. Smith, which includes a true copy of the work notes and interview notes that were submitted together with that report (which are collectively referred to in the accompanying Memorandum of Law as the “Smith Report”).

7. Attached hereto as **Exhibit F** is a true copy of the transcript of the deposition of Stan V. Smith, taken October 29, 2010.

8. Attached hereto as **Exhibit G** is a true copy of the Defendants’ expert report of Dr. Christopher Erath.

I declare under penalty of perjury that the foregoing is true and correct and this Declaration was executed by me on the 3rd day of November, 2010.

/s/
ROBERT D. LILLIENSTEIN